Allowability of Claims Over Vaisanen & Longginou

Rejection Summary

Claims 10, 11 and 14 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 6,606,311 (Vaisanen) in view of U.S. Patent No. 5,841,971 (Longginou). Office Action, 21 January 2005, para. 5. The Examiner concedes that Vaisanen fails to disclose "... receiving an uncompressed CDMA signal", but asserts that Longginou meets this deficiency.

Patentability of Claim 10

Regarding independent Claim 10, contrary to the Examiner's assertion, Vaisanen and Longginou do not suggest a

> ... method in a wireless communications handset having a first transceiver and a second transceiver, comprising:
> receiving an uncompressed CDMA signal with a first receiver of the first transceiver;
> receiving a second signal with a second receiver of the second transceiver at the same time the first receiver is receiving the uncompressed CDMA signal.

Contrary to the Examiner's contention, there is no suggestion in either Vasianen or Longginou to receive an uncompressed CDMA signal while receiving a second signal. Vaisanen discloses Bluetooth and WLAN transceivers. The Examiner's reference to the passage of Longginou to support the putative combination is misplaced. At col. 10; 27-39, Longginou discloses

transmitting video signals from video data storage (13) over a cellular telephone network (12). Longginou discloses nothing about a handset having a first and second receiver. Moreover, the disclosure of transmitting compressed video data over a cellular network in Longginou does not suggest receiving an uncompressed CDMA signal with a first receiver of the first transceiver and receiving a second signal with a second receiver of the second transceiver at the same time the first receiver is receiving the uncompressed CDMA signal. Claim 10 and the claims that depend therefrom are thus patentably distinguished over Vaisanen and Longginou.

Patentability of Claim 11

Regarding Claim 11, contrary to the Examiner's assertion, Vaisanen and Longginou do not suggest, in combination with the limitations of Claim 10,

> ... receiving the second signal with the second receiver operating in a non-continuous reception mode at the same time the first receiver is receiving the uncompressed CDMA signal.

Vaisanen discloses dual mode Bluetooth and WLAN transceivers and Wang merely discloses a QOS framework for CDMA 2000. Longginou discloses transmitting video signals over a cellular network. Neither reference discusses receiving a second signal with a second receiver operating in a non-continuous reception mode at the same time the first receiver is receiving the uncompressed CDMA signal. Claim 11 and the claims that depend therefrom are thus further patentable distinguished over the art.

Patentability of Claim 14

Regarding Claim 14, contrary to the Examiner's assertion, Vaisanen and Longginou do not suggest in combination with the limitations of Claim 10

> ... receiving a second uncompressed downlink signal with the second receiver operating in a continuous reception mode at the same time the first receiver is receiving the uncompressed CDMA signal.

Longginou discloses transmitting video signals over a cellular network. Claim 14 is thus further patentably distinguished over the art.

Allowability of Claims Over Vaisanen, Longginou & Byrne

Rejection Summary

Claims 12 and 13 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 6,606,311 (Vaisanen) in view of U.S. Patent No. 5,841,971 (Longginou) and U.S. Patent No. 6,606,311 (Byrne). Office Action, 16 June 2004, para. 10. The Examiner relies upon Byrne for teaching a GSM receiver.

Patentability of Claim 12

Regarding Claim 12, contrary to the Examiner's assertion, Vaisanen, Longginou and Byrne do not suggest in combination with the limitations of Claim 10

> ... receiving a downlink signal with the GSM receiver at the same time the CDMA receiver is receiving the uncompressed CDMA signal.

Vaisanen discloses dual mode WLAN/Bluetooth device. Longginou discloses transmitting video over a cellular network, and Byrne discloses GSM and DECT transceivers, which are both TDM based communication technologies. The Examiner has not provided any motivation for combine the references cited. Claim 12 is thus further patentably distinguished over the art.

Patentability of Claim 13

Regarding Claim 13, contrary to the Examiner's assertion, Vaisanen, Longginou and Byrne do not suggest in combination with the limitations of Claim 10

> ... the first receiver is CDMA receiver, the second receiver is a TDMA receiver, receiving a downlink signal with the TDMA receiver at the same time the CDMA receiver is receiving the uncompressed CDMA signal.

Vaisanen discloses dual mode WLAN/Bluetooth device, Byrne discloses GSM and DECT transceivers, which are both TDM based communication

technologies, Longginou discloses transmitting video over a cellular network. The Examiner has not provided any motivation for combine the references cited. Claim 13 is thus further patentably distinguished over the art.

Allowability of Claims Over Auvray & Longginou

Rejection Summary

Claim 16 stands rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,564,076 (Auvray) in view of U.S. Patent No. 5,841,971 (Longginou). Office Action, 21 January 2005, para. 7.

Patentability of Claim 16

Regarding Claim 16, Auvray and Longginou do not suggest a

> ... method in a wireless communications handset having a first transceiver, the method comprising:
> receiving a first signal with a first receiver of the first transceiver,
> the first receiver coupled to a first antenna;
> transmitting a second signal with a first transmitter of the first transceiver at the same time the first receiver is receiving the first signal,
> the first transmitter coupled to a second antenna different than the first antenna,
> receiving the first signal with the first receiver includes receiving an uncompressed CDMA downlink signal.

Auvrey discloses a dual mode device with a satellite transceiver and a GSM transceiver. Contrary to the Examiner's assertion, there is no indication in Auvrey that either one of the transceivers transmits a signal at the same time it receives a downlink signal. The Examiner's citation to Col. 1: 59-67 and FIG. 2 does not support this limitation.

The Examiner concedes that Auvrey does not teach receiving an uncompressed CDMA signal, and relies upon Longginou to meet the deficiency of Auvrey. Longginou merely discloses transmitting a video signal over a cellular network. Longinou discloses nothing about multimode receivers that transmit and receive uncompressed CDMA at the same time. Claim 16 is thus patentably distinguished over Auvrey and Longginou.

Allowability of Claims Over Auvray, Wang & Longinou

Rejection Summary

Claim 17 stands rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,564,076 (Auvray) and U.S. Patent No. 6,606,311 (Wang). Office Action, 16 June 2004, para. 10.

Patentability of Claim 17

Regarding Claim 17, contrary to the Examiner's assertion, Auvray and Wang do not suggest "... receiving the first signal with the first receiver includes receiving an uncompressed CDMA downlink signal" in combination with the limitations of Claim 16. The Examiner's reference to passages of Wang are misplaced. At col. 2; 1-4, Wang merely defines ATM standards QOS.

At col. 3: 7-13, Wang discloses that an object of the invention is to provide QOS in CDMA communications system. Wang discloses nothing about uncompressed CDMA. Known GSM/WCDMA handset architectures rely upon WCDMA compression to provide time for GSM communications. Longginou merely discloses transmitting a video signal over a cellular network, which suggests nothing about Claim 17. Claim 17 is thus further patentably distinguished over the prior art.

Allowability of Claims Over Byrne & Poirier

Rejection Summary

Claims 20-21 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,373,703 (Byrne) in view of U.S. Patent No. 6,341,219 (Poirier). Official Action, 21 January 2005, para. 8. The Examiner relies upon Poirier for teaching the use of spread spectrum to implement an "... increasingly popular transmission scheme ... with a power control scheme that ... provides optimal output power control." Id.

Claims 24 and 26 stand rejected under 35 USC 103 as being unpatentable over Bryne in view of U.S. Patent No. 6,341,219 (Poirier). Office Action, 16 June 2004, para. 14.

The Examiner concedes that Byrne "... does not teach receiving at the same time as transmitting...", but alleges that it would have been obvious to "... combine Byrne with the teachings of Poirier et al of receiving at the same time as transmitting to implement an increasingly popular transmission scheme ... with a power control scheme that utilizes a single control signal and

provides optimal output power control. Office Action, 8 January 2004, para. 11.

Patentability of Claim 20

Regarding Claim 20, contrary to the Examiner's assertion, Byrne and Poirier fail to disclose or suggest a

> ... method in a wireless communications device having a first transceiver and a second transceiver, comprising:
> transmitting a first signal with a first transmitter of the first transceiver operating in a continuous spread spectrum transmission mode,
> the first transmitter coupled to a first antenna;
> receiving a second signal with a second receiver of the second transceiver at the same time the first transmitter is transmitting the first signal,
> the second receiver coupled to a second antenna different than the first antenna.

Byrne discloses a multi-mode communication device that uses GSM cellular and DECT cordless telephone protocols, both of which employ time division duplexing (TDD) implemented by burst mode transmission. Neither GSM nor DECT protocol communications employ "... continuous spread spectrum transmission mode ..." operation. WCDMA is an exemplary spread spectrum modulation format. GSM is a time division format. The disclosure of a CDMA power control scheme by Poirier suggest nothing about multimode handset architectures as asserted by the Examiner. The alleged combination/modification has no relation to the objects of either one of the

references cited. Claim 20 and the claims is patentably distinguished over Byrne and Poirier.

Patentability of Claim 21

Regarding Claim 21, contrary to the Examiner's assertion, Byrne and Beasley do not suggest, in combination with the limitations of Claim 20,

> ... the first transmitter is CDMA transmitter, the second receiver is a TDMA receiver, transmitting an uplink signal with the CDMA transmitter; receiving the second signal with the TDMA receiver at the same time the CDMA transmitter is transmitting the uplink signal.

Byrne discloses a multi-mode communication device that uses GSM cellular and DECT cordless telephone protocols, both of which employ time division duplexing (TDD) implemented by burst mode transmission. The GSM nor DECT transceivers of Byrne do not employ "... continuous transmission mode..." operation. The disclosure of a CDMA power control scheme by Poirier suggest nothing about multimode handset architectures as asserted by the Examiner. The alleged combination/modification has no relation to the objects of any one of the references cited. Claim 21 is thus further patentably distinguished over Byrne and Poirier.

Patentability of Claim 24

Regarding Claim 24, contrary to the Examiner's assertion, Byrne and Poirier fail to disclose or suggest a

> ... method in a wireless communications device having a first transceiver and a second transceiver, the method comprising:
>
> transmitting with a first transmitter of the first transceiver;
>
> transmitting with a second transmitter of the second transceiver at the same time that the first transmitter is transmitting;
>
> receiving with one of a first receiver of the first transceiver and a second receiver of the second transceiver at the same time the first and second transmitters are transmitting.

There is no suggestion to combine the GSM/DECT cordless phone of Byrne with the CDMA power control scheme of Poirier. Byrne discloses providing seamless handover by simultaneously communicating using GSM and DECT transceivers during handover periods. Poirier is concerned with power control in a CDMA handset. Prior GSM/WCDMA handset architectures rely upon WCDMA compression to provide time for GSM communications. The Examiner has not cited any support in the prior art for the putative combination. Moreover, the alleged combination/modification has no relation to the objects of any one of the references cited. Claim 24 and any claims dependent therefrom are thus patentably distinguished over Byrne and Poirier.

Patentability of Claim 26

Regarding independent Claim 26, Byrne and Poirier fail to disclose or suggest a

> ... method in a wireless communications device having a first transceiver and a second transceiver, the method comprising:

receiving with a first receiver of the first transceiver;

receiving with a second receiver of the second transceiver at the same time that the first receiver is receiving;

transmitting with one of a first transmitter of the first transceiver and a second transmitter of the second transceiver at the same time the first and second receivers are receiving.

Contrary to the Examiner's assertion, there is no suggestion to combine the GSM/DECT cordless phone of Byrne with the CDMA power control scheme of Poirier. Byrne discloses providing seamless handover by simultaneously communicating using GSM and DECT transceivers during handover periods. Poirier is concerned with power control in a CDMA handset. Prior GSM/WCDMA handset architectures rely upon WCDMA compression to provide time for GSM communications. The Examiner has not cited any support in the prior art for the putative combination. The alleged combination/modification has no relation to the objects of any one of the references cited. Claim 26 and any claims dependent therefrom are thus patentably distinguished over Byrne and Poirier.

Allowability of Claims Over Byrne, Poirier & Longinou

Rejection Summary

Claims 22 and 23 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,373,703 (Byrne) in view of U.S. Patent No. 6,341,219 (Poirier) and U.S. Patent No. 6,606,311 (Wang). Office Action, 16 June 2004, para. 13. The Examiner does not specify how Vaisanen and Poirier support the rejection. The Examiner cites Longginou for teaching transmission of uncompressed CDMA.

Patentability of Claim 22

Regarding Claim 22, contrary to the Examiner's assertion, Byrne, Poirier and Longginou do not suggest, in combination with the limitations of Claim 20,

> ... transmitting an uncompressed uplink signal with a first transmitter operating in a continuous transmit mode;
> receiving the second signal with the second receiver at the same time the first transmitter is transmitting the uncompressed uplink first signal.

There is no suggestion to combine the CDMA transceiver of Longginou with the GSM/DECT device if Byrne. That Longginou teaches transmission of uncompressed video signals over a cellular network does not suggest replacing the DECT transceiver of Bryne with a CDMA cordless transceiver. Moreover the putative modification does not comport with the objects of Byrne, Poirier and Longginou. Byrne is concerned with communicating using GSM and DECT transceivers during handover periods. Poirier is concerned with power control in a CDMA handset. Longginou is concerned with a dual mode GSM/satellite device. Claim 22 is thus further patentably distinguished over Byrne and Poirier, and Longginou.

Patentability of Claim 23

Regarding Claim 23, contrary to the Examiner's assertion, Byrne, Poirier and Longginou do not suggest, in combination with Claim 20,

> ... the first transmitter is CDMA transmitter, the second receiver is a TDMA receiver, transmitting an uncompressed uplink signal with the CDMA transmitter;
>
> receiving the second signal with the TDMA receiver at the same time the CDMA transmitter is transmitting the uncompressed uplink signal.

There is no suggestion to combine the CDMA transceiver of Longginou with the GSM/DECT device if Byrne. That Longginou teaches transmission of uncompressed video signals over a cellular network does not suggest replacing the DECT transceiver of Bryne with a CDMA cordless transceiver. Moreover the putative modification does not comport with the objects of Byrne, Poirier and Longginou. Byrne is concerned with communicating using GSM and DECT transceivers during handover periods. Poirier is concerned with power control in a CDMA handset. Longginou is concerned with a dual mode GSM/satellite device. Claim 23 is thus further patentably distinguished over the art.

Allowability of Claims Over Byrne Poirier & Shaffer

Rejection Summary

Claims 25 and 27 stand rejected under 35 USC 103 as being unpatentable over Byrne, Poirier and Shaffer. Office Action, 21 January 2005, para. 11.

Patentability of Claim 25

Regarding Claim 25, contrary to the Examiner's assertion, Byrne, Poirier and Shaffer do not suggest, in combination with the limitations of Claim 24, "... receiving includes receiving an uncompressed continuous signal". Moreover, the asserted combination/modification does not further the objects of any of the references cited. The use of uncompressed video data in Shaffer is not relevant to transmitting uncompressed CDMA. Poirier is concerned with power control in a CDMA handset. Shaffer uses compressed video to reduce data size, and there is no reason to combine the CDMA power controller of Poirier with the GSM/DECT handset of Byrne. Claim 25 is thus further patentably distinguished over Byrne, Poirier and Shaffer.

Patentability of Claim 27

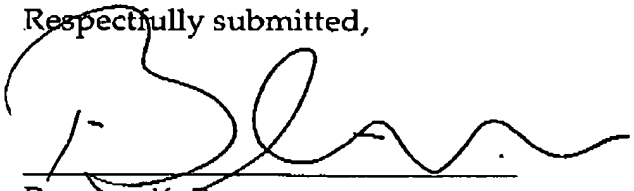
Regarding Claim 27, contrary to the Examiner's assertion, Byrne, Poirier and Shaffer do not suggest "... receiving includes receiving an uncompressed continuous signal" in combination with the limitations of Claim 26. Claim 27 is thus further patentably distinguished over Byrne, Poirier and Shaffer.

Prayer For Relief

In view of any amendments and the discussion above, the Claims of the present application are in condition for allowance. Kindly withdraw any

rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,



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